

CERTIFICATE OF MAILING

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Attorney for Applicant(s)

PATENT APPLICATION

Docket No.:TUC920030086US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Ralph T. Beeston, et al. )  
Serial No.: Not yet assigned )  
Filing Date: August 25, 2003 ) Group Art  
For: APPARATUS, SYSTEM AND METHOD TO ) Unit:  
ESTIMATE MEMORY FOR RECOVERING )  
DATA )

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Washington, D.C. 20231

Sir:

This Information Disclosure Statement discloses information which has come to the attention of applicant and his attorneys and is being submitted so as to comply with the duty of disclosure set forth in 37 C.F.R. § 1.56. In accordance with 37 C.F.R. § 1.97(b), this Statement is being filed within three (3) months of the filing date of the above-identified application or before the mailing date of a first Action on the merits.

Neither applicant nor his attorneys make any representation that any information disclosed herein may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103. Moreover, pursuant to 37 C.F.R. § 1.97, the filing of this Information Disclosure Statement shall not be construed

as a representation that a search has been made or as an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

In accordance with 37 C.F.R. § 1.98, this Information Disclosure Statement includes and is accompanied by:

1. A completed copy of Form PTO-1449 listing the patents, publications and other information being submitted for consideration; and
2. A legible copy of each patent, publication and other item of information in written form listed on the enclosed Form PTO-1449.

#### NON-ENGLISH INFORMATION

Pursuant to 37 C.F.R. § 1.98, following is a concise explanation of the relevance (as it is presently understood by the individual designated in 37 C.F.R. § 1.56(c) most knowledgeable about the content of the information), of each listed patent, publication or other information that is not in the English language.

#### **EP 1217842**

**NOVELTY** - The method involves determining, prior to encoding the current frame, a maximum bit size for the current frame preventing an underflow of the current frame from the decoder buffer to the decoder.

**DETAILED DESCRIPTION** - A bit size is allocated for the current frame in accordance with the determined maximum bit size for the current frame. When the second signal has a variable bit-encoding rate and the current frame is not decoded until after the set switching time, the **\*\*maximum\*\*** bit

**\*\*size\*\*** is determined in accordance with and **\*estimate\*\*** of the decoder **\*\*buffer\*\*** fullness at the set switching time. An INDEPENDENT CLAIM is included for a method of allocating a bit size for a current frame in a group of pictures, a method of allocating a bit budget for a current frame, and a computer readable **\*\*storage\*\*** medium.

**JP200322334**

**PROBLEM TO BE SOLVED** - To provide an automatic monitoring system for input and output performance surely and early monitoring the deterioration of the input and output performance of an input and output device.

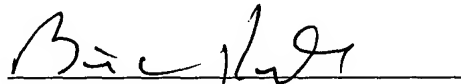
**SOLUTION:** In this automatic monitoring system for input and output performance, the **\*estimated\*** **\*maximum\*** number of input and output competition, **\*maximum\*** **\*length\*** of transmission **\*data\***, and performance monitor interval value are stored in a main **\*storage\*** device 20 by an inputting means 11 of information specific to a system, and input and output execution with the **\*maximum\*** input and output time sampling means 12, and the load of each input and output path is averaged by an input and output load distribution controlling means 13, and the accumulation totals of the necessary input and output time of each input and output path and the number of times of executed input and output are stored into the device 20 by an input and output statistical information obtaining means 14, and an abnormal part is specified from an input and output performance upper limit value by an input and output performance monitoring means 15, and the path of the abnormal part is closed at the time of the invalidity of use by a device re-constituting means 16, and the fault contents and faults parts are communicated to a fault phenomenon communicating means 17.

**JP2000259525**

**PROBLEM TO BE SOLVED:** To prevent the degradation of a communication performance by performing the return of acknowledgment (ACK) at suitable timing.

**SOLUTION:** In the case of starting communication between respective communication and points 110B of computer systems 100A and 100B, a \*buffer\* \*size\* reporting part 120A (120B) to the computer system reported \*maximum\* capacity in a \*buffer\* \*size\* \*storage\* part 11B (111A). An ACK return timing \*calculating\* part 140B (140A) discriminates whether the amount of data stored in the transmission/reception buffer 112B (112A) satisfies a prescribed ratio to the maximum capacity of the transmission/reception buffer 112B (112A) or maximum capacity of the transmission/reception buffer 112A (112B) or not or whether it is after the lapse of prescribed time from the last ACK return or not.

Respectfully submitted,



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<b>FORM PTO-1449</b>  <b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b>  (use several sheets if necessary)	SERIAL NO. Not yet assigned	ATTORNEY DOCKET NO. TUC920030086US1
	FILING DATE August 25, 2003	GROUP ART UNIT
	APPLICANT(S): Ralph T. Beeston et al.	

**REFERENCE DESIGNATION****U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	4,445,176	04/24/1984	Burk et al.	364/200	12/28/1979
	A2	5,594,889	01/14/1997	Colgate et al.	395/497.02	05/30/1995
	A3	5,615,392	03/25/1997	Harrison et al.	395/876	05/05/1995
	A4	5,712,976	01/ 27/1988	Falcon, Jr. et al.	395/200.09	09/08/1994
	A5	5,784,698	07/ 21/1998	Brady et al.	711/171	12/05/1995
	A6	5,802,351	09/01/1998	Frampton	395/500	02/05/1996
	A7	5,920,732	07/ 6/1999	Riddle	395/876	07/01/1996
	A8	6,046,817	04/ 4/2000	Brown et al.	358/1.16	01/22/1998
	A9	6,457,081	09/24/2002	Gulick	710/129	06/11/1999
	A10	6,553,438	04/22/2003	Coffman et al.	710/52	04/24/2000
	A11	2003/0061456	03/27/2003	Ofek et al.	711/162	07/17/2002

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION	
						YES	NO
	A12	EP1217842	12/13/2001				
	A13	JP2000322334	11/24/2000	Japan			
	A14	JP2000259525	09/22/2000	Japan			

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).

## NON-PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT (Including Author, Title, Source, and Pertinent Pages)
	A15	Sheu et al., <b>"A BUFFER ALLOCATION MECHANISM FOR VBR VIDEO PLAYBACK"</b> , Int. Conf. On Communication Technology Proceedings, Aug. 2000.
	A16	Zouta et al., <b>"DYNAMIC THRESHOLD CONTROL IN AN ATM SWITCH WITH SHARED MEMORY BUFFER"</b> , Electronics and Communications in Japan, 2000.
	A17	Blades et al., <b>"PRE-ALLOCATION OF REMOTE STORAGE ON A MAXIMUM FRAME-SIZE BASIS"</b> , IBM TDB, n6, 11/91

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).